

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

VERSATA SOFTWARE, INC., F/K/A TRILOGY SOFTWARE, INC.; VERSATA DEVELOPMENT GROUP, INC., F/K/A TRILOGY DEVELOPMENT GROUP, INC.; and VERSATA COMPUTER INDUSTRY SOLUTIONS, INC., F/K/A TRILOGY COMPUTER INDUSTRY SOLUTIONS, INC.,,

Plaintiffs

VS.

SAP AMERICA, INC. and SAP, AG,

Defendants.

NO. 2:07-CV-153-CE

JURY TRIAL DEMANDED

STIPULATED ORDER ON EXECUTION OF JUDGMENT

The parties have agreed as follows:

A. SAP America, Inc. and SAP, AG (collectively "SAP") will not be required to post bond or other security pending appeal pursuant to Rule 62. Pursuant to Local Rule CV-62 and the parties' Agreement Incident to Stipulated Order on Execution of Judgment, Plaintiffs have agreed to accept a signed copy of the verification of Exhibit A to this Stipulated Order as sufficient evidence of SAP's present ability to satisfy the Judgment in this matter.

B. SAP further agrees (i) to provide updated verifications, in the form of Exhibit B hereto, to Plaintiffs on a quarterly basis, confirming SAP's continuing ability to satisfy the Judgment in this matter and (ii) to report to Plaintiffs, in the form of Exhibit C hereto, within seven (7) days of SAP's determination that either SAP America, Inc.'s or SAP AG's ability to satisfy the Judgment is compromised.

C. SAP agrees that, as provided in Exhibit A, SAP will pay within fifteen (15) days of the completion of all appeal and remand proceedings (including any proceedings before the Supreme Court of the United States), or within fifteen (15) days of the expiration of the times for initiating such proceedings, any payments then due under the Judgment.

D. In reliance on the certification of Exhibit A and SAP's obligations in the paragraphs B and C immediate above Plaintiffs agree that they will not execute before fifteen (15) days after the mandate issues as provided in Paragraph C.

E. Any party can move the Court for modification, failing agreement between the parties on such modification, under any circumstances which that party deems sufficient to justify modification.

Dated: September 20, 2011

By: /s/ Samuel F. Baxter (w/permission by
Robert Christopher Bunt

Samuel F. Baxter
Texas Bar No. 01938000
sbaxter@mckoolsmith.com
McKool Smith, P.C.
104 East Houston, Suite 300
Marshall, Texas 75670
903-923-9001 (Telephone)
903-927-2622 (Telecopy)

Steven J. Pollinger
Texas State Bar No. 24011919
spollinger@mckoolsmith.com
Scott L. Cole
Texas State Bar No. 00790481
scole@mckoolsmith.com
Laurie Fitzgerald
Texas State Bar No. 24032339
lfitzgerald@mckoolsmith.com
McKool Smith, P.C.
300 W. 6th Street, Suite 1700
Austin, Texas 78701
Telephone: (512) 692-8700
Telecopier: (512) 692-8744

Counsel for Plaintiffs
Versata Software, Inc., Versata Development
Group and Versata Computer Industry
Solutions, Inc.

PARKER BUNT & AINSWORTH, PC

By: /s/ Robert Christopher Bunt

Robert Christopher Bunt
Thomas M. Melsheimer
Texas Bar No. 13922550
melsheimer@fr.com
Michael A. Bittner
Texas Bar No. 24064905
bittner@fr.com
1717 Main Street, Suite 5000
Dallas, TX 75201
214-747-5070 (Telephone)
214-747-2091 (Telecopy)

John W. Thornburgh (CA SBN 154627)
thornburgh@fr.com
Justin M. Barnes (CA SBN 217517)
barnes@fr.com
FISH & RICHARDSON P.C.
12390 El Camino Real
San Diego, California 92130
Tel: (858) 678-5070
Fax: (858) 678-5099

James R. Batchelder (pro hac vice)
James.Batchelder@ropesgray.com
ROPES & GRAY LLP
1900 University Ave, 6th Floor
East Palo Alto, CA 94303
Tel: (650) 617-4000
Fax: (650) 617-4090

Robert Christopher Bunt
State Bar No. 00787165
rcbunt@pbatyler.com
Parker Bunt & Ainsworth
100 E. Ferguson, Suite 1114
Tyler, TX 75702
Phone: (903) 531-3535
Fax: (903) 533-9687

Counsel for Defendants
SAP AMERICA, INC. AND SAP, AG

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on September 20, 2011, to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Robert Christopher Bunt

Robert Christopher Bunt